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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,820	07/14/2003	Ching-Shin Liao	2450-0507P	5229
2292	7590	07/02/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH				GREEN, BRIAN
PO BOX 747				ART UNIT
FALLS CHURCH, VA 22040-0747				PAPER NUMBER
				3611

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/617,820	LIAO, CHING-SHIN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brian K. Green	3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### *Drawings*

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the photo frame defined in claim 6 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Specification*

The abstract of the disclosure is objected to because on line 2 the word "invention" is used which is improper. Correction is required. See MPEP § 608.01(b).

***Claim Objections***

Claims 1-6 are objected to because of the following informalities: In claim 1, lines 1,4,6,7-8, and claims 2-6, “(or pictures)” the applicant is reminded that subject matter placed within parentheses is not given any patentable weight. In claim 1, line 7, “the other photos” should be “other photos” since there is no antecedent basis for “the other photos”. In claim 1, last line, “the existing photo” should be “an existing photo” since there is no antecedent basis for “the existing photo”. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 2, “a panel” is confusing since it is not clear whether this is the same as the “decorative panel” defined on line 1. In claim 1, lines 5-6, “the through hole” is confusing since it is not clear which through hole the applicant is referring to since the applicant defines in line 2 a “plurality of through holes.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Cliborn (U.S. Patent No. 4,860,468).

Cliborn shows in figures 1-6 a panel (12), a plurality of holes (16), and U-shaped slots (the U-shaped slots are formed by the back surface of panel 12, the intermediate panel 18 and the back panel (24), see figures 2,5 and 6) provided at the back of the panel. In regard to claim 2, the photo or cards (11) can be replaced with other photos or cards. In regard to claim 3, as broadly defined, the slot “can alternately be an L-shape, i.e. the applicant does not positively state that the slot is L-shaped but only claims that it “can be”. Further, the slot can be considered L-shaped since the slot can be considered to only include one vertical portion and the horizontal portion of the slot, see figure 2. In regard to claim 4, Cliborn shows a back panel (24). In regard to claim 5, the material of the panel “can be” cardboard, plastic, wood, or metal. In regard to claim 6, a frame “can be” added to the periphery.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Nolan, Jr. (U.S. Patent No. 4,094,085).

Nolan, Jr. shows in figures 1-4 a panel (12,14,16,18), a plurality of holes (30,32, etc.), and U-shaped slots (50,52 formed by 46,48, 58) provided at the back of the panel. In regard to claim 2, the photos can be replaced with other photos or cards. In regard to claim 3, as broadly defined, the slot “can alternately be an L-shape, i.e. the applicant does not positively state that the slot is L-shaped but only claims that it “can be”. Further, the slot can be considered L-shaped since the slot can be considered to only include one vertical portion and the horizontal portion of the slot. In regard to claim 4, a back panel “can be” provided. In regard to claim 5, the material

of the panel "can be" cardboard, plastic, wood, or metal. In regard to claim 6, a frame "can be" added to the periphery.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bingham et al. and Wiener teach the use of panels that include different sized openings therein. Dean, Boughton, and Schwarz teach the use of panels that include means for supporting a display on the back surface thereof.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K. Green whose telephone number is (703) 308-1011. The examiner can normally be reached on M-F 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (703) 308-0629. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Brian K. Green*  
BRIAN K. GREEN  
PRIMARY EXAMINER

Bkg  
June 25, 2004